

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 27621 of 2006(L)

PETITIONER:

**K.M.POULOSE, S/O. MATHAI,
RESIDING AT KADUVEETIL HOUSE,
VENGOOR P.O., KUNNATHUNADU TALUK.**

BY ADV. SRI.KURIAN GEORGE KANNAMTHANAM.

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
SECRETARY, LABOUR AND REHABILITATION (S)
DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.**
- 2. THE DEPUTY TAHSILDAR (R.R.),
TALUK OFFICE, KUNNATHUNADU, PERUMBAVOOR.**
- 3. THE VILLAGE OFFICER,
VENGOOR, ERNAKULAM DISTRICT.**
- 4. THE DISTRICT EXECUTIVE OFFICER,
MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
ERNAKULAM.**

**BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD FOR R4,
GOVT. PLEADER SRI. BASANT BALAJI FOR R1 TO R3.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26/06/2007,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C). NO.27621/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE REVENUE RECOVERY NOTICE DTD. 26/04/95 ISSUED FROM THE R.2. TO THE PETITIONER FOR THE YEAR 1986-88.

EXT.P.2: COPY OF THE -DO- FOR THE YEAR 1988-92.

EXT.P.3: COPY OF THE -DO- FOR THE YEAR 1988-92.

EXT.P.4: COPY OF -DO- FOR THE YEAR 1992-94.

EXT.P.5: COPY OF THE JUDGMENT DTD. 25/01/2001 IN O.P. 8547/95 OF THIS HONOURABLE COURT.

EXT.P.6: COPY OF THE JUDGMENT DT. 07/08/2001 IN O.P. 23340/01 OF -DO.

EXT.P.7: COPY OF THE COVERING LETTER DTD. 29/08/2001 ISSUED FROM THE R.1.

EXT.P.8: COPY OF THE G.O. DTD. 25/03/1995 OF THE LABOUR & REHABILITATION (R) DEPARTMENT.

EXT.P.9: COPY OF THE LETTER DT. 25/09/2001 ISSUED TO THE R.3.

EXT.P.10: COPY OF THE LETTER DT. 27/09/01 TO THE R.1.

EXT.P.11: COPY OF THE RECEIPT DT. 28/09/2006 ISSUED FROM THE R.3. TO THE PETITIONER FOR R2. 12704/-.

EXT.P.11.A: COPY OF THE -DO- FOR RS. 46,314/-.

EXT.P.11.B: COPY OF THE -DO- FOR RS. 30758/-.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

C.N.RAMACHANDRAN NAIR, J.

.....
W.P.(C) No.27621 of 2006
.....

Dated this the 26th day of June, 2007.

JUDGMENT

Even though petitioner is challenging recovery proceedings on the ground that he is not served with original orders, Standing Counsel produced files which acknowledgement of orders by the petitioner. In any case since petitioner has sold the vehicle and is no longer in stage carriage operation, I grant reduction of one third of the interest payable provided balance arrears and two third of interest are paid on or before 31.7.2007. There will be direction to the second respondent to forward amounts recovered from petitioner immediately on production of copy of this judgment by petitioner, to 4th respondent for giving credit in petitioner's account and for giving revised statement for the petitioner to settle liability within the time granted above. Recovery proceedings will be kept in abeyance till 31.7.2007 for the petitioner to make payment as above and if payment is not made, recovery will continue for recovery of entire arrears including full interest.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms